IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Group Art Unit: 1637 Brian Lentrichia, et al. Serial No.: 10/053,349 Filed: January 15, 2002 For: NUCLEIC ACID EXTRACTION SOLUTION AND USE THEREOF

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

M/S: Non Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Election/Restriction Requirement mailed February 25, 2004, for the above-referenced application, Applicant hereby elects the invention of Claims 16-40 (Group II), drawn to method of extracting, classified in class 435, subclass 6.

Examination of the application is requested. Any questions regarding the above election should be brought to undersigned's attention.

Respectfully submitted, BINGHAM McCUTCHEN LLP

Datad

1 15 55

4/13/04

D. 4.

David W. Maher Reg. No. 40,077

BINGHAM McCUTCHEN LLP Three Embarcadero, Suite 1800 San Francisco, CA 94111-4067 (650) 849-4400

PA:52132074.1/2024738-7030230000